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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A SUBMISSION UNDER 35 U.S.C. 371**

ATTORNEY'S DOCKET NUMBER
VER-209XX

U.S. APPLICATION NO. (If known, see 37 CFR 1.5)
10/592,994

INTERNATIONAL APPLICATION NO. PCT/NL2005/000193	INTERNATIONAL FILING DATE 15 March 2005	PRIORITY DATE CLAIMED 16 March 2004
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TITLE OF INVENTION

THE USE OF SPHINGOLIPIDS IN THE TREATMENT AND PREVENTION OF TYPE 2 DIABETES MELLITUS, INSULIN RESISTANCE AND METABOLIC SYNDROME

APPLICANT(S) FOR DO/EO/US

Willem Ferdinand NIEUWENHUIZEN, Aloysius Maria HAVEKES, Josephus Jan EMEIS

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. This is a **FIRST** submission of items concerning a submission under 35 U.S.C. 371.
2. This is a **SECOND** or **SUBSEQUENT** submission of items concerning a submission under 35 U.S.C. 371.
3. This express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
4. The US has been elected (Article 31).
5. A copy of the International Application as filed (35 U.S.C. 371(c)(2))
 - a. is attached hereto (required only if not communicated by the International Bureau).
 - b. has been communicated by the International Bureau.
 - c. is not required, as the application was filed in the United States Receiving Office (RO/US).
6. An English language translation of the International Application as filed (35 U.S.C. 371(c)(2))
 - a. is attached hereto.
 - b. had been previously submitted under 35 U.S.C. 154(d)(4).
7. Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
 - a. are attached herewith (required only if not communicated by the International Bureau).
 - b. have been communicated by the International Bureau.
 - c. have not been made; however, the time limit for making such amendments has NOT expired.
 - d. have not been made and will not be made.
8. An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11 to 20 below concern document(s) or information included:

11. An Information Disclosure Statement under 37 CFR 1.97 and 1.98. (with 8 references)
12. An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. A preliminary amendment.
14. An Application Data Sheet under 37 CFR 1.76.
15. A substitute specification.
16. A power of attorney and/or change of address letter.
17. A computer readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821-1.825.
18. A second copy of the published International Application under 35 U.S.C. 154(d)(4).
19. A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
20. Other items or information: Copy of 371 FORMALITIES LETTER dated March 14, 2007

This collection of information is required by 37 CFR 1.414 and 1.491-1.492. The information is required to obtain the USPTO to process an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Express Mail Number

EV 560127926 US

U.S. APPLICATION NO. (if known, see 37 CFR 1.5) 10/592,994	INTERNATIONAL APPLICATION NO PCT/NL2005/000193	ATTORNEY'S DOCKET NUMBER VER-209XX	
The following fees have been submitted:		CALCULATIONS PTO USE ONLY	
21. <input type="checkbox"/> Basic national fee.....		\$300.00 \$	
22. <input type="checkbox"/> Examination fee If International preliminary examination report prepared by USPTO and all claims satisfy provisions of PCT Article 33(1)-(4)		\$100.00 \$	
All other situations		\$200.00	
23. <input type="checkbox"/> Search fee Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority		\$100.00 \$	
International Search Report prepared and provided to the Office.....		\$400.00	
All other situations.....		\$500.00	
TOTAL OF 21, 22 and 23 =		\$	
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250.00 for each additional 50 sheets of paper or fraction thereof.			
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	RATE
- 100 =	/ 50 =		X \$250.00 \$
Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(h)).		\$ 130.00	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE
Total claims	13	- 20 = 0	X \$ 50.00 \$
Independent claims	10	- 10 = 0	X \$200.00 \$
MULTIPLE DEPENDENT CLAIM(S) (if applicable)		+ \$360.00 \$	
TOTAL OF ABOVE CALCULATIONS =		\$ 130.00	
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by 1/2.		\$ -	
SUBTOTAL =		\$ 130.00	
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(l)).		\$	
TOTAL NATIONAL FEE =		\$ 130.00	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property +		\$	
TOTAL FEES ENCLOSED =		\$ 130.00	
		Amount to be Refunded: \$	
		Amount to be Charged: \$	
<p>a. <input checked="" type="checkbox"/> A check in the amount of \$ <u>130.00</u> to cover the above fees, except assignment recordation, is enclosed. A check in the amount of \$ _____ is enclosed for the assignment recordation fee.</p> <p>b. <input type="checkbox"/> Please charge my Deposit Account No. _____ in the amount of \$ _____ to cover the above fees. A duplicate copy of this sheet is enclosed.</p> <p>c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Deposit Account No. <u>23-0804</u>. A duplicate copy of this sheet is enclosed.</p> <p>d. <input type="checkbox"/> Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</p>			
NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.		03/28/2007 GFREY1 00000159 10592994	
SEND ALL CORRESPONDENCE TO: [X] Customer Number 00207		which is associated with the Law Firm of: WEINGARTEN, SCHURGIN, GAGNEBIN & LEOVICI LLP Ten Post Office Square Boston, Massachusetts 02109 United States Telephone: (617) 542-2290 Fax: (617) 451-0313	
Attorney Signature: 		Date: <u>3-23-7</u>	
Attorney Name: <u>Charles L. Gagnebin III</u>		Registration No: <u>25,467</u>	



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/592,994	Willem Ferdinand Nieuwenhuizen	VER-209XX
		INTERNATIONAL APPLICATION NO.
		PCT/NL05/00193
207	I.A. FILING DATE	PRIORITY DATE
WEINGARTEN, SCHURGIN, GAGNEBIN & LEOVICI LLP TEN POST OFFICE SQUARE BOSTON, MA 02109	03/15/2005	03/16/2004
CONFIRMATION NO. 8473		
371 FORMALITIES LETTER		
 *OC000000022889961*		

Date Mailed: 03/14/2007

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 09/15/2006
- Copy of the International Search Report filed on 09/15/2006
- Preliminary Amendments filed on 09/15/2006
- Information Disclosure Statements filed on 09/15/2006
- U.S. Basic National Fees filed on 09/15/2006
- Priority Documents filed on 09/15/2006
- Specification filed on 09/15/2006
- Claims filed on 09/15/2006
- Abstracts filed on 09/15/2006
- Drawings filed on 09/15/2006

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MAR 19 2007

WEINGARTEN, SCHURGIN,
GAGNEBIN & LEOVICI LLP

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Express Mail Number
 EV 560127926 US

Total additional fees required for this application is \$130 for a Large Entity:

- \$130 Surcharge.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.

<https://sportal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>

For more information about EFS-Web please call the USPTO Electronic Business Center at 1-866-217-9197 or visit our website at <http://www.uspto.gov/ebc>.

If you are not using EFS-Web to submit your reply, you must include a copy of this notice.

BARBARA A CAMPBELL

Telephone: (703) 308-9140 EXT 217

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/592,994	PCT/NL05/00193	VER-209XX

FORM PCT/DO/EO/905 (371 Formalities Notice)